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10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE EASTERN DISTRICT OF WASHINGTON

12 ALETA BUSSELMAN,

13 Plaintiff,

14 v.

15 BATTELLE MEMORIAL INSTITUTE,
16 an Ohio nonprofit corporation,

17 Defendant.
18

No. 4:18-cv-05109-SMJ

19 DEFENDANT'S
20 OBJECTIONS TO
21 PLAINTIFF'S DEPOSITION
22 COUNTER-DESIGNATIONS
23 AND RESPONSES TO
PLAINTIFF'S OBJECTIONS
TO DEPOSITION
DESIGNATIONS

DEFENDANT'S OBJECTIONS TO DEPOSITION COUNTER-
DESIGNATIONS AND RESPONSES TO PLAINTIFF'S
OBJECTIONS

4832-3001-5405v.1 0021368-000014

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Pursuant to the Court's November 22, 2019 Order, ECF No. 257, Defendant Battelle Memorial Institute hereby submits Defendant's objections to Plaintiff's counter-designations of Plaintiff's deposition testimony, ECF No. 253-1, and responds to Plaintiff's objections to Defendant's designations of Plaintiff's deposition testimony, ECF No. 239-1. Battelle respectfully requests that the Court hear oral argument at the December 5, 2019 Final Pretrial Conference upon Plaintiff's hundreds of objections to Battelle's designations of Plaintiff's deposition testimony. ECF No. 258. It will be impracticable for the Court to review and resolve at trial each of Plaintiff's countless objections each time Battelle seeks to present the jury with Plaintiff's deposition testimony. *See* Fed. R. Civ. P. 32(a)(3).

Defendant's Objection to Plaintiff's Counter- Designations	Basis For Objection
(1) 31:7-34:1	Fed. R. Civ. P. 32(a)(6) and Fed. R. Evid. 106. Plaintiff's counter-designation is substantively unrelated to Defendant's designations. Therefore, fairness does not require that it "be considered with the part introduced." Moreover, Plaintiff's counter-designation is irrelevant, unfairly prejudicial, and inadmissible character evidence.

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1		Fed. R. Evid. 402, 403, 404.
2		
3	(2) 113:20-114:4	Fed. R. Civ. P. 32(a)(6) and Fed. R. Evid. 106. Plaintiff's
4		counter-designation is substantively unrelated to
5		Defendant's designations. Therefore, fairness does not
6		require that it "be considered with the part introduced."
7		Fed. R. Evid. 802. Plaintiff seeks to use the out-of-court
8		statements of unidentified persons for the truth of the
9		matters asserted.
10		
11	(3) 276:21-277:7	Fed. R. Evid. 802. Plaintiff seeks to use her own out-of-
12		court statements, as reflected in her emotional harm chart,
13		for the truth of the matters asserted.
14	(4) 279:24-281:7	Fed. R. Civ. P. 32(a)(6) and Fed. R. Evid. 106. Plaintiff's
15		counter-designation is substantively unrelated to
16		Defendant's designations. Therefore, fairness does not
17		require that it "be considered with the part introduced."
18		Fed. R. Evid. 802. Plaintiff seeks to use her own out-of-
19		court statements, as reflected in her emotional harm chart,
20		for the truth of the matters asserted.
21		
22	(5) 284:4-286:9	Fed. R. Civ. P. 32(a)(6) and Fed. R. Evid. 106. Plaintiff's
23		

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1		counter-designation is substantively unrelated to
2		Defendant's designations. Therefore, fairness does not
3		require that it "be considered with the part introduced."
4		Fed. R. Evid. 802. Plaintiff seeks to use the out-of-court
5		statements of unidentified persons for the truth of the
6		matters asserted.
7		
8	(6) 287:10-15	Fed. R. Civ. P. 32(a)(6) and Fed. R. Evid. 106. Plaintiff's
9		counter-designation is substantively unrelated to
10		Defendant's designations. Therefore, fairness does not
11		require that it "be considered with the part introduced."
12		Fed. R. Evid. 802. Plaintiff seeks to use her own out-of-
13		court statements, as reflected in her emotional harm chart,
14		for the truth of the matters asserted.
15		
16	(7) 288:3-289:17	Fed. R. Civ. P. 32(a)(6) and Fed. R. Evid. 106. Plaintiff's
17		counter-designation is substantively unrelated to
18		Defendant's designations. Therefore, fairness does not
19		require that it "be considered with the part introduced."
20		Fed. R. Evid. 802. Plaintiff seeks to use her own out-of-
21		court statements, as reflected in her emotional harm chart,
22		for the truth of the matters asserted.
23		

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(8) 290:5-291:4

Fed. R. Civ. P. 32(a)(6) and Fed. R. Evid. 106. Plaintiff's counter-designation is substantively unrelated to Defendant's designations. Therefore, fairness does not require that it "be considered with the part introduced." Fed. R. Evid. 802. Plaintiff seeks to use her own out-of-court statements, as reflected in her emotional harm chart, for the truth of the matters asserted.

(9) 293:6-19

Fed. R. Civ. P. 32(a)(6) and Fed. R. Evid. 106. Plaintiff's counter-designation is substantively unrelated to Defendant's designations. Therefore, fairness does not require that it "be considered with the part introduced." Fed. R. Evid. 802. Plaintiff seeks to use her own out-of-court statements, as reflected in her emotional harm chart, for the truth of the matters asserted.

Defendant's Responses to Plaintiff's Objections to Defendant's Designations of the Deposition of Plaintiff

Plaintiff's Objection	Plaintiff's Basis for Objection	Defendant's Response
(1) 14:11-25	Fed. R. Evid. 602, 701	<ul style="list-style-type: none"> Plaintiff's objection that she

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lacked personal knowledge as to her own thoughts is without merit because “personal knowledge is not an absolute but may consist of what the witness thinks [s]he knows from personal perception.” Fed. R. Evid. 602, Notes of Advisory Committee on Proposed Rules.

- Plaintiff’s objection under Rule 701 is without merit because “it is [] clear that the drafters intended Rule 701 to be inapplicable to party admissions under Rule 801(d)(2).” 29 Victor J. Gold *Fed. Prac. & Proc. Evid.* § 6253 (2d ed. 2019). Moreover, Plaintiff’s testimony does not concern “scientific, technical, or other specialized knowledge.” Fed. R. Evid. 701(c).

(2) 51:1-10	Fed. R. Evid. 602, 611 (argumentative), 701	<ul style="list-style-type: none"> Plaintiff's objection that she lacked personal knowledge as to her own thoughts is without merit because "personal knowledge is not an absolute but may consist of what the witness thinks [s]he knows from personal perception." Fed. R. Evid. 602, Notes of Advisory Committee on Proposed Rules. Plaintiff's counsel waived any objection to the form of the question as "argumentative" under Fed. R. Evid. 611 by failing to raise that objection during the deposition. 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019) ("[Fed. R. Civ. P. 32(d)(3)(B)] deals with errors and irregularities at the oral
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1 examination in the manner of
2 taking the deposition, in the form
3 of the questions and answers, in
4 the oath or affirmation, in the
5 conduct of the parties, and errors
6 of any kind that might have been
7 obviated, removed, or cured if
8 promptly objected to. All of
9 these are waived unless
10 seasonable objection is made to
11 them at the taking of the
12 deposition.”). Moreover, the
13 question is not argumentative.
14 *See* 1 McCormick, Evidence, 6th
15 ed. 2006, § 7, p. 28 (“The
16 examiner may not ask a question
17 that merely pressures the witness
18 to assent to the questioner's
19 inferences from or interpretations
20 of the testimony already
21 admitted...This kind of question
22 is objectionable as
23

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		<p>‘argumentative’ or ‘badgering the witness.’”).</p> <ul style="list-style-type: none"> Plaintiff’s objection under Rule 701 is without merit because “it is [] clear that the drafters intended Rule 701 to be inapplicable to party admissions under Rule 801(d)(2).” 29 Victor J. Gold <i>Fed. Prac. & Proc. Evid.</i> § 6253 (2d ed. 2019). Moreover, Plaintiff’s testimony does not concern “scientific, technical, or other specialized knowledge.” Fed. R. Evid. 701(c).
(3) 54:23-25	Fed. R. Evid. 602, 701	<ul style="list-style-type: none"> Plaintiff’s objection that she lacked personal knowledge as to her own thoughts is without merit. Fed. R. Evid. 602. Plaintiff’s objection under Rule 701 is without merit because “it is [] clear that the drafters

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		<p>intended Rule 701 to be inapplicable to party admissions under Rule 801(d)(2).” 29 Victor J. Gold <i>Fed. Prac. & Proc. Evid.</i> § 6253 (2d ed. 2019). Moreover, Plaintiff’s testimony does not concern “scientific, technical, or other specialized knowledge.” Fed. R. Evid. 701(c).</p>
(4) 55:8-56:7	Fed. R. Evid. 602, 611, 701	<ul style="list-style-type: none"> • Plaintiff’s objection that she lacked personal knowledge as to her own thoughts is without merit. Fed. R. Evid. 602. • Plaintiff’s counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019).

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		<ul style="list-style-type: none"> Plaintiff's objection under Rule 701 is without merit because "it is [] clear that the drafters intended Rule 701 to be inapplicable to party admissions under Rule 801(d)(2)." 29 Victor J. Gold <i>Fed. Prac. & Proc. Evid.</i> § 6253 (2d ed. 2019). Moreover, Plaintiff's testimony does not concern "scientific, technical, or other specialized knowledge." Fed. R. Evid. 701(c).
(5) 56:8-57:18	Fed. R. Evid. 602, 701	<ul style="list-style-type: none"> Plaintiff's objection that she lacked personal knowledge as to her own thoughts is without merit. Fed. R. Evid. 602. Plaintiff's objection under Rule 701 is without merit because "it is [] clear that the drafters intended Rule 701 to be inapplicable to party admissions under Rule 801(d)(2)." 29 Victor

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		<p>J. Gold <i>Fed. Prac. & Proc. Evid.</i> § 6253 (2d ed. 2019). Moreover, Plaintiff’s testimony does not concern “scientific, technical, or other specialized knowledge.” Fed. R. Evid. 701(c).</p>
(6) 57:19-58:1	Fed. R. Evid. 602, 701	<ul style="list-style-type: none"> • Plaintiff’s objection that she lacked personal knowledge as to her own thoughts is without merit. Fed. R. Evid. 602. • Plaintiff’s objection under Rule 701 is without merit because “it is [] clear that the drafters intended Rule 701 to be inapplicable to party admissions under Rule 801(d)(2).” 29 Victor J. Gold <i>Fed. Prac. & Proc. Evid.</i> § 6253 (2d ed. 2019). Moreover, Plaintiff’s testimony does not concern “scientific, technical, or other specialized knowledge.” Fed. R. Evid. 701(c).

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(7) 58:2-10	Fed. R. Evid. 602, 701	<ul style="list-style-type: none"> • Plaintiff's objection that she lacked personal knowledge as to her own thoughts is without merit. Fed. R. Evid. 602. • Plaintiff's objection under Rule 701 is without merit because "it is [] clear that the drafters intended Rule 701 to be inapplicable to party admissions under Rule 801(d)(2)." 29 Victor J. Gold <i>Fed. Prac. & Proc. Evid.</i> § 6253 (2d ed. 2019). Moreover, Plaintiff's testimony does not concern "scientific, technical, or other specialized knowledge." Fed. R. Evid. 701(c).
(8) 60:9-61:1	Fed. R. Evid. 602, 802	<ul style="list-style-type: none"> • Plaintiff's objection that she lacked personal knowledge as to her own thoughts is without merit. Fed. R. Evid. 602. • Plaintiff's hearsay objections as to her own deposition testimony

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1		are without merit because she is a
2		party opponent. Fed. R. Evid.
3		801(d)(2).
4		
5		<ul style="list-style-type: none"> Plaintiff's hearsay objections as
6		to the statements of her PNNL
7		coworkers are without merit
8		because the statements are being
9		used to show the effect on the
10		listener (<i>i.e.</i> , Plaintiff). 30B
11		Jeffrey Bellin <i>Fed. Prac. & Proc.</i>
12		<i>Evid.</i> § 6719 (2018 ed.) ("The
13		party offering the statement can
14		use this theory of relevance—that
15		the statement provoked some
16		relevant reaction, knowledge, or
17		belief on the part of a person who
18		heard it—to overcome a hearsay
19		objection.").
20	(9) 77:9-22	
21	Fed. R. Evid.	<ul style="list-style-type: none"> Plaintiff's counsel waived any
22	611	objection to the form of the
23		question under Fed. R. Evid. 611

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		by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019).
(10) 77:23-78:3	Fed. R. Evid. 402, 403	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
(11) 78:4-79:8	Fed. R. Evid. 402, 403	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly

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		prejudicial. Fed. R. Evid. 403.
(12) 79:9-80:12	Fed. R. Evid. 402, 403, 802	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6). • Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).

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		<ul style="list-style-type: none"> Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener. 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(13) 80:13-81:3	Fed. R. Evid. 402, 403	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
(14) 81:4-25	Fed. R. Evid. 402, 403	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401.

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1		<ul style="list-style-type: none"> • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
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3		
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5	(15) 82:1-83:1	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401.
6	Fed. R. Evid. 402, 403, 602, 701	<ul style="list-style-type: none"> • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
7		<ul style="list-style-type: none"> • Plaintiff's objection that she lacked personal knowledge as to her own thoughts is without merit. Fed. R. Evid. 602.
8		<ul style="list-style-type: none"> • Plaintiff's objection under Rule 701 is without merit because "it is [] clear that the drafters intended Rule 701 to be inapplicable to party admissions
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		<p>under Rule 801(d)(2).” 29 Victor J. Gold <i>Fed. Prac. & Proc. Evid.</i> § 6253 (2d ed. 2019). Moreover, Plaintiff’s testimony does not concern “scientific, technical, or other specialized knowledge.” Fed. R. Evid. 701(c).</p>
(16) 83:2-14	Fed. R. Evid. 402, 403, 602, 701, 404(a)	<ul style="list-style-type: none"> • Plaintiff’s relevance objection is without merit. Plaintiff’s employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff’s Rule 403 objection is without merit. Plaintiff’s testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff’s Rule 404 objection is without merit because her testimony does not concern “[e]vidence of a person’s character or character trait [being used] to prove that on a particular

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		<p>occasion the person acted in accordance with the character or trait.” Fed. R. Evid. 404(a)(1).</p> <ul style="list-style-type: none"> Plaintiff’s objection that she lacked personal knowledge as to her own thoughts is without merit. Fed. R. Evid. 602. Plaintiff’s objection under Rule 701 is without merit because “it is [] clear that the drafters intended Rule 701 to be inapplicable to party admissions under Rule 801(d)(2).” 29 Victor J. Gold <i>Fed. Prac. & Proc. Evid.</i> § 6253 (2d ed. 2019). Moreover, Plaintiff’s testimony does not concern “scientific, technical, or other specialized knowledge.” Fed. R. Evid. 701(c).
(17) 84:6-85:8	Fed. R. Evid. 402, 403, 404(a), 602, 701	<ul style="list-style-type: none"> Plaintiff’s relevance objection is without merit. Plaintiff’s employment with PNNL is

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relevant to this lawsuit. Fed. R. Evid. 401.

- Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
- Plaintiff's Rule 404 objection is without merit because her testimony does not concern "[e]vidence of a person's character or character trait [being used] to prove that on a particular occasion the person acted in accordance with the character or trait." Fed. R. Evid. 404(a)(1).
- Plaintiff's objection that she lacked personal knowledge as to her own thoughts is without merit. Fed. R. Evid. 602.
- Plaintiff's objection under Rule 701 is without merit because "it is [] clear that the drafters

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		<p>intended Rule 701 to be inapplicable to party admissions under Rule 801(d)(2).” 29 Victor J. Gold <i>Fed. Prac. & Proc. Evid.</i> § 6253 (2d ed. 2019). Moreover, Plaintiff’s testimony does not concern “scientific, technical, or other specialized knowledge.” Fed. R. Evid. 701(c).</p>
(18) 85:9-86:6	Fed. R. Evid. 402, 403, 611, 802	<ul style="list-style-type: none"> • Plaintiff’s relevance objection is without merit. Plaintiff’s employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff’s Rule 403 objection is without merit. Plaintiff’s testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff’s Rule 611 objection is without merit because the question is not argumentative. <p><i>See 1 McCormick, Evidence, 6th</i></p>

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1		ed. 2006, § 7, p. 28.
2		• Plaintiff's hearsay objections to
3		the PNNL email about which she
4		testified is without merit because
5		Plaintiff stipulated that PNNL
6		emails are business records. Fed.
7		R. Evid. 802(6).
8		• Plaintiff's hearsay objections as
9		to her own statements contained
10		in an email are without merit
11		because she is a party opponent.
12		Fed. R. Evid. 801(d)(2).
13		• Plaintiff's hearsay objections as
14		to the statements of her PNNL
15		coworkers are without merit
16		because the statements are being
17		used to show the effect on the
18		listener (i.e., Plaintiff). 30B
19		Jeffrey Bellin <i>Fed. Prac. & Proc.</i>
20		<i>Evid.</i> § 6719 (2018 ed.).
21		
22	(19) 86:7-87:8	Fed. R. Evid.
23		402, 403, 602,
		• Plaintiff's relevance objection is

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611, 701

without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401.

- Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
- Plaintiff's objection that she lacked personal knowledge as to her own thoughts is without merit. Fed. R. Evid. 602
- Plaintiff's Rule 611 objection is without merit because the question is not argumentative and does not call for speculation. *See* 1 McCormick, Evidence, 6th ed. 2006, § 7, p. 28.
- Plaintiff's objection under Rule 701 is without merit because "it is [] clear that the drafters intended Rule 701 to be

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		<p>inapplicable to party admissions under Rule 801(d)(2).” 29 Victor J. Gold <i>Fed. Prac. & Proc. Evid.</i> § 6253 (2d ed. 2019). Moreover, Plaintiff’s testimony does not concern “scientific, technical, or other specialized knowledge.” Fed. R. Evid. 701(c).</p>
(20) 87:9-88:3	Fed. R. Evid. 402, 403, 602, 611, 701	<ul style="list-style-type: none"> • Plaintiff’s relevance objection is without merit. Plaintiff’s employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff’s Rule 403 objection is without merit. Plaintiff’s testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff’s objection that she lacked personal knowledge as to her own thoughts is without merit. Fed. R. Evid. 602 • Plaintiff’s counsel waived any

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		<p>objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019).</p> <ul style="list-style-type: none"> Plaintiff's objection under Rule 701 is without merit because "it is [] clear that the drafters intended Rule 701 to be inapplicable to party admissions under Rule 801(d)(2)." 29 Victor J. Gold <i>Fed. Prac. & Proc. Evid.</i> § 6253 (2d ed. 2019). Moreover, Plaintiff's testimony does not concern "scientific, technical, or other specialized knowledge." Fed. R. Evid. 701(c).
(21) 88:7-89:7	Fed. R. Evid. 402, 403, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is

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relevant to this lawsuit. Fed. R. Evid. 401.

- Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
- Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the

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		listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(22) 89:8-90:10	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019) • Plaintiff's hearsay objections to

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		<p>the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).</p> <ul style="list-style-type: none"> • Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). • Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(23) 90:11-91:7	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R.

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Evid. 401.

- Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
- Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019)
- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements contained in an email are without merit

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		<p>because she is a party opponent.</p> <p>Fed. R. Evid. 801(d)(2).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(24) 91:9-92:4	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's Rule 611 objection is without merit because the question is not argumentative and

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1 does not call for speculation. *See*
 2 1 McCormick, Evidence, 6th ed.
 3 2006, § 7, p. 28.

- 4 • Plaintiff's hearsay objections to
 5 the PNNL email about which she
 6 testified is without merit because
 7 Plaintiff stipulated that PNNL
 8 emails are business records. Fed.
 9 R. Evid. 802(6).
- 10 • Plaintiff's hearsay objections as
 11 to her own statements contained
 12 in an email are without merit
 13 because she is a party opponent.
 14 Fed. R. Evid. 801(d)(2).
- 15 • Plaintiff's hearsay objections as
 16 to the statements of her PNNL
 17 coworkers are without merit
 18 because the statements are being
 19 used to show the effect on the
 20 listener (i.e., Plaintiff). 30B
 21 Jeffrey Bellin *Fed. Prac. & Proc.*
 22 *Evid.* § 6719 (2018 ed.).
 23

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(25) 92:5-93:6	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019) • Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed.
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		<p>R. Evid. 802(6).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(26) 93:7-14	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly

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prejudicial. Fed. R. Evid. 403.

- Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019)
- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
- Plaintiff's hearsay objections as to the statements of her PNNL

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		<p>coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).</p>
(27) 94:1-95:6	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc.</i>

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		<p><i>Civ. § 2156 (3d ed. 2019).</i></p> <ul style="list-style-type: none"> • Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6). • Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). • Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid. § 6719 (2018 ed.)</i>.
(28) 95:7-96:1	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's

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employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401.

- Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
- Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019).
- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as

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		<p>to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(29) 96:11-97:4	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's counsel waived any

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objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019).

- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
- Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being

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		used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(30) 97:5-98:6	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019). • Plaintiff's hearsay objections to

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		<p>the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).</p> <ul style="list-style-type: none"> • Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). • Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(31) 98:7-19	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R.

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Evid. 401.

- Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
- Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019).
- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements contained in an email are without merit

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		<p>because she is a party opponent.</p> <p>Fed. R. Evid. 801(d)(2).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(32) 99:16-25	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611

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by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019).

- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
- Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B

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		Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(33) 100:1-12	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019). • Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because

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		<p>Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(34) 100:23-101:2	Fed. R. Evid. 402, 403, 611, 701, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's objection that she lacked personal knowledge is

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without merit because “the knowledge required by Rule 602 is simply that awareness of objects or events that begins with sensory perception of them.” 27 Victor J. Gold *Fed. Prac. & Proc. Evid.* § 6023 (2d ed. 2019).

- Plaintiff’s counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019).
- Plaintiff’s objection under Rule 701 is without merit because “it is [] clear that the drafters intended Rule 701 to be inapplicable to party admissions under Rule 801(d)(2).” 29 Victor

J. Gold *Fed. Prac. & Proc. Evid.* § 6253 (2d ed. 2019). Moreover, Plaintiff's testimony does not concern "scientific, technical, or other specialized knowledge." Fed. R. Evid. 701(c).

- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
- Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being

		used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(35) 101:3-25	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019).

- | | | |
|--|--|---|
| | | <ul style="list-style-type: none"> Plaintiff's objection under Rule 701 is without merit because "it is [] clear that the drafters intended Rule 701 to be inapplicable to party admissions under Rule 801(d)(2)." 29 Victor J. Gold <i>Fed. Prac. & Proc. Evid.</i> § 6253 (2d ed. 2019). Moreover, Plaintiff's testimony does not concern "scientific, technical, or other specialized knowledge." Fed. R. Evid. 701(c). Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6). Plaintiff's hearsay objections as to her own statements contained in an email are without merit |
|--|--|---|

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		<p>because she is a party opponent.</p> <p>Fed. R. Evid. 801(d)(2).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(36) 102:1-16	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611

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by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019).

- Plaintiff's objection under Rule 701 is without merit because "it is [] clear that the drafters intended Rule 701 to be inapplicable to party admissions under Rule 801(d)(2)." 29 Victor J. Gold *Fed. Prac. & Proc. Evid.* § 6253 (2d ed. 2019). Moreover, Plaintiff's testimony does not concern "scientific, technical, or other specialized knowledge." Fed. R. Evid. 701(c).
- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL

		<p>emails are business records. Fed. R. Evid. 802(6).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(37) 107:1-108:8	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's

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testimony is not unfairly
prejudicial. Fed. R. Evid. 403.

- Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019).
- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).

		<ul style="list-style-type: none"> Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(38) 108:9-109:5	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R.

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Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019).

- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
- Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin *Fed. Prac. & Proc.*

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		<i>Evid.</i> § 6719 (2018 ed.).
(39) 109:6-110:9	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019). Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because

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		<p>Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(40) 110:10-111:4	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is

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without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.

- Plaintiff's Rule 611 objection is without merit because the question was not "misleading."
- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
- Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being

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		used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(41) 111:5-112:1	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019).

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		<ul style="list-style-type: none"> • Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6). • Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). • Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(42) 111:2-10	Fed. R. Evid. 402, 403	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is

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1			relevant to this lawsuit. Fed. R.
2			Evid. 401.
3			• Plaintiff's Rule 403 objection is
4			without merit. Plaintiff's
5			testimony is not unfairly
6			prejudicial. Fed. R. Evid. 403.
7	(43) 114:15-20	Fed. R. Evid.	• Plaintiff's relevance objection is
8		402, 403, 611	without merit. Plaintiff's
9			employment with PNNL is
10			relevant to this lawsuit. Fed. R.
11			Evid. 401.
12			• Plaintiff's Rule 403 objection is
13			without merit. Plaintiff's
14			testimony is not unfairly
15			prejudicial. Fed. R. Evid. 403.
16			• Plaintiff's counsel waived any
17			objection to the form of the
18			question under Fed. R. Evid. 611
19			by failing to raise an objection
20			during the deposition. Fed. R.
21			Civ. P. 32(d)(3)(B); 8A Richard
22			L. Marcus <i>Fed. Prac. & Proc.</i>
23			

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		<i>Civ. § 2156 (3d ed. 2019).</i>
(44) 115:1-3	Fed. R. Evid. 602, 701	
(45) 115:4-15	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's objection that she lacked personal knowledge is without merit because "the knowledge required by Rule 602 is simply that awareness of objects or events that begins with sensory perception of them." 27 Victor J. Gold <i>Fed. Prac. & Proc. Evid.</i> § 6023 (2d ed. 2019). Plaintiff's objection under Rule 701 is without merit because "it is [] clear that the drafters intended Rule 701 to be inapplicable to party admissions under Rule 801(d)(2)." 29 Victor J. Gold <i>Fed. Prac. & Proc. Evid.</i> § 6253 (2d ed. 2019). Moreover, Plaintiff's testimony does not concern "scientific, technical, or

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		other specialized knowledge.” Fed. R. Evid. 701(c).
(46) 116:1-23	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff’s relevance objection is without merit. Plaintiff’s employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff’s Rule 403 objection is without merit. Plaintiff’s testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff’s counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019). • Plaintiff’s hearsay objections as to her own statements are without

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		merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
(47) 117:1-20	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019). Plaintiff's hearsay objections to

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		<p>the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).</p> <ul style="list-style-type: none"> • Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). • Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(48) 118:5-119:3	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R.

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Evid. 401.

- Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
- Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019).
- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements contained

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		<p>in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(49) 119:4-120:8	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's counsel waived any objection to the form of the

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question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019).

- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
- Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being

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		used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(50) 120:9-121:4	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019).

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		<ul style="list-style-type: none"> • Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6). • Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). • Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(51) 122:18-20	Fed. R. Evid. 611	<ul style="list-style-type: none"> • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611

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		by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019).
(52) 123:23-125:3	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's objection that she lacked personal knowledge is without merit because "the knowledge required by Rule 602 is simply that awareness of objects or events that begins with sensory perception of them." 27 Victor J. Gold <i>Fed. Prac. & Proc.</i>

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		<p>Evid. § 6023 (2d ed. 2019).</p> <ul style="list-style-type: none"> Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019). Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
(53) 125:4-24	Fed. R. Evid. 402, 403, 602, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly

prejudicial. Fed. R. Evid. 403.

- Plaintiff's objection that she lacked personal knowledge is without merit because "the knowledge required by Rule 602 is simply that awareness of objects or events that begins with sensory perception of them." 27 Victor J. Gold *Fed. Prac. & Proc. Evid.* § 6023 (2d ed. 2019).
- Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019).
- Plaintiff's hearsay objections as to her own statements are without merit because she is a party

		opponent. Fed. R. Evid. 801(d)(2).
(54) 125:25- 126:4	Fed. R. Evid. 402, 403, 602	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's objection that she lacked personal knowledge is without merit because "the knowledge required by Rule 602 is simply that awareness of objects or events that begins with sensory perception of them." 27 Victor J. Gold Fed. Prac. & Proc. Evid. § 6023 (2d ed. 2019).
(55) 126:5-25	Fed. R. Evid. 402, 403, 602, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. The Fowler Fraud

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cause analysis is relevant to this lawsuit. Fed. R. Evid. 401.

- Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
- Plaintiff's objection that she lacked personal knowledge is without merit because "the knowledge required by Rule 602 is simply that awareness of objects or events that begins with sensory perception of them." 27 Victor J. Gold Fed. Prac. & Proc. Evid. § 6023 (2d ed. 2019).
- Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc.*

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		<p><i>Civ. § 2156 (3d ed. 2019).</i></p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
(56) 130:5-6	Fed. R. Evid., 611	<ul style="list-style-type: none"> Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc.</i> <i>Civ. § 2156 (3d ed. 2019).</i>
(57) 131:1-132:7	Fed. R. Evid. 402, 403, 602, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly

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prejudicial. Fed. R. Evid. 403.

- Plaintiff's objection that she lacked personal knowledge is without merit because "the knowledge required by Rule 602 is simply that awareness of objects or events that begins with sensory perception of them." 27 Victor J. Gold *Fed. Prac. & Proc. Evid.* § 6023 (2d ed. 2019).
- Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019).
- Plaintiff's hearsay objections as to her own statements are without merit because she is a party

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		opponent. Fed. R. Evid. 801(d)(2).
(58) 132:8- 133:5	Fed. R. Evid. 402, 403, 602, 611, 701, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's objection that she lacked personal knowledge is without merit because "the knowledge required by Rule 602 is simply that awareness of objects or events that begins with sensory perception of them." 27 Victor J. Gold Fed. Prac. & Proc. Evid. § 6023 (2d ed. 2019). • Plaintiff's counsel waived any objection to the form of the

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question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019).

- Plaintiff's objection under Rule 701 is without merit because "it is [] clear that the drafters intended Rule 701 to be inapplicable to party admissions under Rule 801(d)(2)." 29 Victor J. Gold *Fed. Prac. & Proc. Evid.* § 6253 (2d ed. 2019). Moreover, Plaintiff's testimony does not concern "scientific, technical, or other specialized knowledge." Fed. R. Evid. 701(c).
- Plaintiff's hearsay objections as to her own statements are without merit because she is a party

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		<p>opponent. Fed. R. Evid. 801(d)(2).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to her own Complaint filed in this action are without merit because her Complaint's allegations demonstrate her knowledge. 39B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6723 (2018 ed.) ("Statements offered to prove a speaker's knowledge can also fall outside the definition of hearsay.").
(59) 133:6-15	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.

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| | | <ul style="list-style-type: none"> • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019). • Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). • Plaintiff's hearsay objections as to her own Complaint filed in this action are without merit because her Complaint's allegations demonstrate her knowledge. 39B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6723 (2018 ed.). |
|--|--|--|

(60) 134:1-
135:7

Fed. R. Evid.
402, 403, 611,
802, 805

- Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401.
- Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
- Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019).
- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed.

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		<p>R. Evid. 802(6).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener. 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(61) 135:8-136:10	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly

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prejudicial. Fed. R. Evid. 403.

- Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019).
- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
- Plaintiff's hearsay objections as

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		<p>to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener. 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).</p>
(62) 136:11-25	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard

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L. Marcus *Fed. Prac. & Proc.*
Civ. § 2156 (3d ed. 2019).

- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
- Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener. 30B Jeffrey Bellin *Fed. Prac. & Proc. Evid.* § 6719 (2018

		ed.).
(63) 138:21-139:7	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019). • Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL

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		<p>emails are business records. Fed. R. Evid. 802(6).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener. 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(64) 139:8-140:6	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's

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testimony is not unfairly
prejudicial. Fed. R. Evid. 403.

- Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019).
- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).

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		<ul style="list-style-type: none"> Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener. 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(65) 140:7-141:8	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R.

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Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019).

- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
- Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener. 30B Jeffrey Bellin *Fed. Prac. & Proc. Evid.* § 6719 (2018

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3	(66) 141:9-142:12	Fed. R. Evid. 402, 403, 611, 802, 805
4		<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401.
5		<ul style="list-style-type: none"> • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
6		<ul style="list-style-type: none"> • Plaintiff's Rule 611 objection is without merit because the question was not a "mischaracterization."
7		<ul style="list-style-type: none"> • Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
8		<ul style="list-style-type: none"> • Plaintiff's hearsay objections as to her own statements are without
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		<p>merit because she is a party opponent. Fed. R. Evid. 801(d)(2).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to the statements of her PNNL coworkers and the draft Fowler Fraud Report are without merit because the statements are being used to show the effect on the listener. 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(67) 142:13-143:2	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's Rule 611 objection is

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without merit because the question was not a “mischaracterization.”

- Plaintiff’s hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff’s hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
- Plaintiff’s hearsay objections as to the statements of her PNNL coworkers and the draft Fowler Fraud Report are without merit because the statements are being used to show the effect on the listener. 30B Jeffrey Bellin *Fed.*

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		<i>Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(68) 143:3-11	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus Fed. Prac. & Proc. Civ. § 2156 (3d ed. 2019). • Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because

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		<p>Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). Plaintiff's hearsay objections as to the statements of her PNNL coworkers and the draft Fowler Fraud Report are without merit because the statements are being used to show the effect on the listener. 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(69) 143:12-144:7	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401.

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| | | <ul style="list-style-type: none"> • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus Fed. Prac. & Proc. Civ. § 2156 (3d ed. 2019). • Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6). • Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. |
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		<p>801(d)(2).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to the statements of her PNNL coworkers and the draft Fowler Fraud Report are without merit because the statements are being used to show the effect on the listener. 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(70) 144:8-145:6	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611

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by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus Fed. Prac. & Proc. Civ. § 2156 (3d ed. 2019).

- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
- Plaintiff's hearsay objections as to the statements of her PNNL coworkers and the draft Fowler Fraud Report are without merit because the statements are being

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		used to show the effect on the listener. 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(71) 145:7-25	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus Fed. Prac. & Proc. Civ. § 2156 (3d ed. 2019). • Plaintiff's hearsay objections to

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		<p>the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).</p> <ul style="list-style-type: none"> • Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). • Plaintiff's hearsay objections as to the statements of her PNNL coworkers and the draft Fowler Fraud Report are without merit because the statements are being used to show the effect on the listener. 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(72) 146:1-20	Fed. R. Evid. 402, 403, 404(a), 602, 611, 701, 802,	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. The Fowler Fraud

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cause analysis is relevant to this lawsuit. Fed. R. Evid. 401.

- Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
- Plaintiff's Rule 404 objection is without merit because her testimony does not concern "[e]vidence of a person's character or character trait [being used] to prove that on a particular occasion the person acted in accordance with the character or trait." Fed. R. Evid. 404(a)(1).
- Plaintiff's objection that she lacked personal knowledge is without merit because "the knowledge required by Rule 602 is simply that awareness of objects or events that begins with

sensory perception of them.” 27

Victor J. Gold Fed. Prac. & Proc. Evid. § 6023 (2d ed. 2019).

- Plaintiff’s counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus Fed. Prac. & Proc. Civ. § 2156 (3d ed. 2019).
- Plaintiff’s objection under Rule 701 is without merit because “it is [] clear that the drafters intended Rule 701 to be inapplicable to party admissions under Rule 801(d)(2).” 29 Victor J. Gold Fed. Prac. & Proc. Evid. § 6253 (2d ed. 2019). Moreover, Plaintiff’s testimony does not concern “scientific, technical, or

other specialized knowledge.”

Fed. R. Evid. 701(c).

- Plaintiff’s hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff’s hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
- Plaintiff’s hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener. 30B Jeffrey Bellin *Fed. Prac. & Proc. Evid.* § 6719 (2018 ed.).

1 (73) 147:5-
2 148:3

Fed. R. Evid.
402, 403, 611,
802, 805

- Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401.
- Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
- Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus Fed. Prac. & Proc. Civ. § 2156 (3d ed. 2019).
- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).

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		<ul style="list-style-type: none"> • Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). • Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener. 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(74) 148:4-150:9	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.

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- | | | |
|----|--|--|
| 1 | | <ul style="list-style-type: none"> • Plaintiff’s Rule 611 objection is without merit because the question did not “call for speculation.” |
| 2 | | |
| 3 | | <ul style="list-style-type: none"> • Plaintiff’s hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6). |
| 4 | | |
| 5 | | <ul style="list-style-type: none"> • Plaintiff’s hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). |
| 6 | | |
| 7 | | <ul style="list-style-type: none"> • Plaintiff’s hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener. 30B Jeffrey Bellin <i>Fed.</i> |
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		<i>Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(75) 150:10-151:17	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus Fed. Prac. & Proc. Civ. § 2156 (3d ed. 2019). • Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because

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		<p>Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener. 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(76) 151:18-152:5	Fed. R. Evid. 402, 403, 602, 611, 701	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is

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without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.

- Plaintiff's objection that she lacked personal knowledge is without merit because "the knowledge required by Rule 602 is simply that awareness of objects or events that begins with sensory perception of them." 27 Victor J. Gold Fed. Prac. & Proc. Evid. § 6023 (2d ed. 2019).
- Plaintiff's Rule 611 objection is without merit because the question was not "argumentative."
- Plaintiff's objection under Rule 701 is without merit because "it is [] clear that the drafters intended Rule 701 to be inapplicable to party admissions

		<p>under Rule 801(d)(2).” 29 Victor J. Gold Fed. Prac. & Proc. Evid. § 6253 (2d ed. 2019). Moreover, Plaintiff’s testimony does not concern “scientific, technical, or other specialized knowledge.” Fed. R. Evid. 701(c).</p>
(77) 152:6-13	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff’s relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff’s Rule 403 objection is without merit. Plaintiff’s testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff’s counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus Fed. Prac. & Proc.

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1		Civ. § 2156 (3d ed. 2019).
2		• Plaintiff's hearsay objections to
3		the PNNL email about which she
4		testified is without merit because
5		Plaintiff stipulated that PNNL
6		emails are business records. Fed.
7		R. Evid. 802(6).
8		• Plaintiff's hearsay objections as
9		to her own statements are without
10		merit because she is a party
11		opponent. Fed. R. Evid.
12		801(d)(2).
13		• Plaintiff's hearsay objections as
14		to the statements of her PNNL
15		coworkers are without merit
16		because the statements are being
17		used to show the effect on the
18		listener. 30B Jeffrey Bellin <i>Fed.</i>
19		<i>Prac. & Proc. Evid.</i> § 6719 (2018
20		ed.).
21		
22	(78) 157:6-19	Fed. R. Evid.
23		402, 403, 611,
		• Plaintiff's relevance objection is

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802, 805

without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401.

- Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
- Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus Fed. Prac. & Proc. Civ. § 2156 (3d ed. 2019).
- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as

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1		to her own statements are without
2		merit because she is a party
3		opponent. Fed. R. Evid.
4		801(d)(2).
5		
6		• Plaintiff's hearsay objections as
7		to the statements of her PNNL
8		coworkers are without merit
9		because the statements are being
10		used to show the effect on the
11		listener. 30B Jeffrey Bellin <i>Fed.</i>
12		<i>Prac. & Proc. Evid.</i> § 6719 (2018
13		ed.).
14	(79) 158:16-	
15	159:5	Fed. R. Evid.
16		402, 403, 611,
17		802, 805
18		
19		• Plaintiff's relevance objection is
20		without merit. The Fowler Fraud
21		cause analysis is relevant to this
22		lawsuit. Fed. R. Evid. 401.
23		
		• Plaintiff's Rule 403 objection is
		without merit. Plaintiff's
		testimony is not unfairly
		prejudicial. Fed. R. Evid. 403.
		• Plaintiff's counsel waived any

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objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus Fed. Prac. & Proc. Civ. § 2156 (3d ed. 2019).

- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
- Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit

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		because the statements are being used to show the effect on the listener. 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(80) 159:6-160:10	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019).

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		<ul style="list-style-type: none"> • Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6). • Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). • Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener. 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(81) 160:11-161:8	Fed. R. Evid. 402, 403, 602, 611, 701, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. The Fowler Fraud

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cause analysis is relevant to this lawsuit. Fed. R. Evid. 401.

- Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
- Plaintiff's objection that she lacked personal knowledge is without merit because "the knowledge required by Rule 602 is simply that awareness of objects or events that begins with sensory perception of them." 27 Victor J. Gold *Fed. Prac. & Proc. Evid.* § 6023 (2d ed. 2019).
- Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard

L. Marcus Fed. Prac. & Proc.

Civ. § 2156 (3d ed. 2019).

- Plaintiff's objection under Rule 701 is without merit because "it is [] clear that the drafters intended Rule 701 to be inapplicable to party admissions under Rule 801(d)(2)." 29 Victor J. Gold *Fed. Prac. & Proc. Evid.* § 6253 (2d ed. 2019). Moreover, Plaintiff's testimony does not concern "scientific, technical, or other specialized knowledge." Fed. R. Evid. 701(c).
- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements are without

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1		merit because she is a party
2		opponent. Fed. R. Evid.
3		801(d)(2).
4		
5		• Plaintiff's hearsay objections as
6		to the statements of her PNNL
7		coworkers are without merit
8		because the statements are being
9		used to show the effect on the
10		listener. 30B Jeffrey Bellin <i>Fed.</i>
11		<i>Prac. & Proc. Evid.</i> § 6719 (2018
12		ed.).
13	(82) 161:9-25	
14	Fed. R. Evid.	• Plaintiff's relevance objection is
15	402, 403, 611,	without merit. The Fowler Fraud
16	802, 805	cause analysis is relevant to this
17		lawsuit. Fed. R. Evid. 401.
18		• Plaintiff's Rule 403 objection is
19		without merit. Plaintiff's
20		testimony is not unfairly
21		prejudicial. Fed. R. Evid. 403.
22		• Plaintiff's counsel waived any
23		objection to the form of the

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question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus Fed. Prac. & Proc. Civ. § 2156 (3d ed. 2019).

- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
- Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being

		used to show the effect on the listener. 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(83) 162:1-163:8	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus Fed. Prac. & Proc. Civ. § 2156 (3d ed. 2019). • Plaintiff's hearsay objections to

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		<p>the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).</p> <ul style="list-style-type: none"> • Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). • Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener. 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(84) 163:9-164:3	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this

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lawsuit. Fed. R. Evid. 401.

- Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
- Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus Fed. Prac. & Proc. Civ. § 2156 (3d ed. 2019).
- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements are without merit because she is a party

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		<p>opponent. Fed. R. Evid. 801(d)(2).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener. 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(85) 164:4-165:4	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611

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by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus Fed. Prac. & Proc. Civ. § 2156 (3d ed. 2019).

- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
- Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the

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		listener. 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(86) 165:5-25	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's Rule 611 objection is without merit because the question was not "argumentative." • Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).

		<ul style="list-style-type: none"> • Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). • Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener. 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(87) 167:14-168:2	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.

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- | | | |
|--|--|---|
| | | <ul style="list-style-type: none"> • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus Fed. Prac. & Proc. Civ. § 2156 (3d ed. 2019). • Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6). • Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). • Plaintiff's hearsay objections as to the statements of her PNNL |
|--|--|---|

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		<p>coworkers are without merit because the statements are being used to show the effect on the listener. 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).</p>
(88) 168:3-169:4	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus Fed. Prac. & Proc.

1		Civ. § 2156 (3d ed. 2019).
2		• Plaintiff's hearsay objections to
3		the PNNL email about which she
4		testified is without merit because
5		Plaintiff stipulated that PNNL
6		emails are business records. Fed.
7		R. Evid. 802(6).
8		• Plaintiff's hearsay objections as
9		to her own statements are without
10		merit because she is a party
11		opponent. Fed. R. Evid.
12		801(d)(2).
13		• Plaintiff's hearsay objections as
14		to the statements of her PNNL
15		coworkers are without merit
16		because the statements are being
17		used to show the effect on the
18		listener. 30B Jeffrey Bellin <i>Fed.</i>
19		<i>Prac. & Proc. Evid.</i> § 6719 (2018
20		ed.).
21		
22	(89) 169:5-19	Fed. R. Evid.
23		402, 403, 611,
		• Plaintiff's relevance objection is

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802, 805

without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401.

- Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
- Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus Fed. Prac. & Proc. Civ. § 2156 (3d ed. 2019).
- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as

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		<p>to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener. 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(90) 170:17-171:7	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's counsel waived any

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objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus Fed. Prac. & Proc. Civ. § 2156 (3d ed. 2019).

- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
- Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit

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		because the statements are being used to show the effect on the listener. 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(91) 171:8-172:4	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019).

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		<ul style="list-style-type: none"> • Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6). • Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). • Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener. 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(92) 172:5-173:6	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. The Fowler Fraud

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cause analysis is relevant to this lawsuit. Fed. R. Evid. 401.

- Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
- Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus Fed. Prac. & Proc. Civ. § 2156 (3d ed. 2019).
- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements are without

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		<p>merit because she is a party opponent. Fed. R. Evid. 801(d)(2).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener. 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(93) 173:7-174:4	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's counsel waived any objection to the form of the

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question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus Fed. Prac. & Proc. Civ. § 2156 (3d ed. 2019).

- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
- Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being

		used to show the effect on the listener. 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(94) 174:5-11	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus Fed. Prac. & Proc. Civ. § 2156 (3d ed. 2019). • Plaintiff's hearsay objections to

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		<p>the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).</p> <ul style="list-style-type: none"> • Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). • Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener. 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(95) 175:2-14	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this

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lawsuit. Fed. R. Evid. 401.

- Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
- Plaintiff's Rule 611 objection is without merit because the question was not "misleading."
- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
- Plaintiff's hearsay objections as to the statements of her PNNL

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1		coworkers are without merit
2		because the statements are being
3		used to show the effect on the
4		listener. 30B Jeffrey Bellin <i>Fed.</i>
5		<i>Prac. & Proc. Evid.</i> § 6719 (2018
6		ed.).
7		
8	(96) 182:2-21	Fed. R. Evid.
9		402, 403, 611,
10		802, 805
11		<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401.
12		<ul style="list-style-type: none"> • Plaintiff's Rule 403 objection is without merit. Plaintiff's
13		testimony is not unfairly
14		prejudicial. Fed. R. Evid. 403.
15		<ul style="list-style-type: none"> • Plaintiff's Rule 611 objection is without merit because the
16		question was not
17		"argumentative."
18		<ul style="list-style-type: none"> • Plaintiff's hearsay objections to
19		the PNNL email about which she
20		testified is without merit because
21		
22		
23		

		<p>Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener. 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(97) 185:1-186:1	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. The Fowler Fraud cause analysis is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is

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without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.

- Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019).
- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid.

1		801(d)(2).
2		
3		<ul style="list-style-type: none"> • Plaintiff's hearsay objections as
4		to the statements of her PNNL
5		coworkers are without merit
6		because the statements are being
7		used to show the effect on the
8		listener. 30B Jeffrey Bellin <i>Fed.</i>
9		<i>Prac. & Proc. Evid.</i> § 6719 (2018
10		ed.).
11	(98) 186:2- 187:9	<ul style="list-style-type: none"> • Plaintiff's relevance objection is
12		without merit. The policy
13		Plaintiff claims was violated is
14		relevant to this lawsuit. Fed. R.
15		Evid. 401.
16		<ul style="list-style-type: none"> • Plaintiff's Rule 403 objection is
17		without merit. Plaintiff's
18		testimony is not unfairly
19		prejudicial. Fed. R. Evid. 403.
20		<ul style="list-style-type: none"> • Plaintiff's counsel waived any
21		objection to the form of the
22		question under Fed. R. Evid. 611
23		

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by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019).

- Plaintiff's hearsay objections to the PNNL policy about which she testified is without merit because the policy is not being offered for the truth of the matters asserted. *Jones v. Lake Cty. Sheriff's Dep't*, 2014 WL 3928405, at *2 (N.D. Ind. Aug. 11, 2014) ("The documents, which describe prohibited workplace activity and the procedures for reporting such activity, are intended to show the existence of the policy itself, and the truth or falsity of the statements within the policy are not relevant.").
- Plaintiff's hearsay objections as

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		to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
(99) 187:10-188:4	Fed. R. Evid. 402, 403, 602, 611, 701, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. The policy Plaintiff claims was violated is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's objection that she lacked personal knowledge is without merit because "the knowledge required by Rule 602 is simply that awareness of objects or events that begins with sensory perception of them." 27 Victor J. Gold Fed. Prac. & Proc.

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Evid. § 6023 (2d ed. 2019).

- Plaintiff's Rule 611 objection is without merit because the question did not "call for speculation."
- Plaintiff's objection under Rule 701 is without merit because "it is [] clear that the drafters intended Rule 701 to be inapplicable to party admissions under Rule 801(d)(2)." 29 Victor J. Gold Fed. Prac. & Proc. Evid. § 6253 (2d ed. 2019). Moreover, Plaintiff's testimony does not concern "scientific, technical, or other specialized knowledge." Fed. R. Evid. 701(c).
- Plaintiff's hearsay objections to the PNNL policy about which she testified is without merit because the policy is not being offered for the truth of the matters asserted.

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		<p><i>Jones v. Lake Cty. Sheriff's Dep't</i>, 2014 WL 3928405, at *2 (N.D. Ind. Aug. 11, 2014).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
(100) 188:5-18	Fed. R. Evid. 402, 403, 602, 611, 701, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. The policy Plaintiff claims was violated is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's objection that she lacked personal knowledge is without merit because "the knowledge required by Rule 602 is simply that awareness of

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objects or events that begins with sensory perception of them.” 27 Victor J. Gold Fed. Prac. & Proc. Evid. § 6023 (2d ed. 2019).

- Plaintiff’s Rule 611 objection is without merit because the question did not “call for speculation.”
- Plaintiff’s objection under Rule 701 is without merit because “it is [] clear that the drafters intended Rule 701 to be inapplicable to party admissions under Rule 801(d)(2).” 29 Victor J. Gold Fed. Prac. & Proc. Evid. § 6253 (2d ed. 2019). Moreover, Plaintiff’s testimony does not concern “scientific, technical, or other specialized knowledge.” Fed. R. Evid. 701(c).
- Plaintiff’s hearsay objections to the PNNL policy about which she

		<p>testified is without merit because the policy is not being offered for the truth of the matters asserted.</p> <p><i>Jones v. Lake Cty. Sheriff's Dep't</i>, 2014 WL 3928405, at *2 (N.D. Ind. Aug. 11, 2014).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
(101) 188:19-189:5	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. The policy Plaintiff claims was violated is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's counsel waived any objection to the form of the

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		<p>question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections to the PNNL policy about which she testified is without merit because the policy is not being offered for the truth of the matters asserted. <i>Jones v. Lake Cty. Sheriff's Dep't</i>, 2014 WL 3928405, at *2 (N.D. Ind. Aug. 11, 2014). Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
(102) 189:14-190:5	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. The policy

Plaintiff claims was violated is relevant to this lawsuit. Fed. R. Evid. 401.

- Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
 - Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019).
 - Plaintiff's hearsay objections to the PNNL policy about which she testified is without merit because the policy is not being offered for the truth of the matters asserted.
- Jones v. Lake Cty. Sheriff's Dep't,*

		<p>2014 WL 3928405, at *2 (N.D. Ind. Aug. 11, 2014.</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
(103) 190:6-191:4	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's purported NDAA disclosure is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard

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		<p>L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019).</p> <ul style="list-style-type: none"> • Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6). • Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
(104) 191:5-192:3	Fed. R. Evid. 402, 403, 602, 611, 701, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's purported NDAA disclosure is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's

testimony is not unfairly
prejudicial. Fed. R. Evid. 403.

- Plaintiff's objection that she lacked personal knowledge is without merit because "the knowledge required by Rule 602 is simply that awareness of objects or events that begins with sensory perception of them." 27 Victor J. Gold *Fed. Prac. & Proc. Evid.* § 6023 (2d ed. 2019).
- Plaintiff's Rule 611 objection is without merit because the question was not "argumentative and misleading."
- Plaintiff's objection under Rule 701 is without merit because "it is [] clear that the drafters intended Rule 701 to be inapplicable to party admissions under Rule 801(d)(2)." 29 Victor

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		<p>J. Gold <i>Fed. Prac. & Proc. Evid.</i> § 6253 (2d ed. 2019). Moreover, Plaintiff's testimony does not concern "scientific, technical, or other specialized knowledge." Fed. R. Evid. 701(c).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6). Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
(105) 192:4-193:3	Fed. R. Evid. 402, 403, 602, 611, 701, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's purported NDAA disclosure is

relevant to this lawsuit. Fed. R. Evid. 401.

- Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
- Plaintiff's objection that she lacked personal knowledge is without merit because "the knowledge required by Rule 602 is simply that awareness of objects or events that begins with sensory perception of them." 27 Victor J. Gold *Fed. Prac. & Proc. Evid.* § 6023 (2d ed. 2019).
- Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard

L. Marcus *Fed. Prac. & Proc.*
Civ. § 2156 (3d ed. 2019).

- Plaintiff's objection under Rule 701 is without merit because "it is [] clear that the drafters intended Rule 701 to be inapplicable to party admissions under Rule 801(d)(2)." 29 Victor J. Gold *Fed. Prac. & Proc. Evid.* § 6253 (2d ed. 2019). Moreover, Plaintiff's testimony does not concern "scientific, technical, or other specialized knowledge." *Fed. R. Evid.* 701(c).
- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. *Fed. R. Evid.* 802(6).

		<ul style="list-style-type: none"> Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
(106) 193:4-194:8	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's purported NDAA disclosure is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's objection that she lacked personal knowledge is without merit because "the knowledge required by Rule 602 is simply that awareness of objects or events that begins with sensory perception of them." 27

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Victor J. Gold *Fed. Prac. & Proc. Evid.* § 6023 (2d ed. 2019).

- Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019).
- Plaintiff's objection under Rule 701 is without merit because "it is [] clear that the drafters intended Rule 701 to be inapplicable to party admissions under Rule 801(d)(2)." 29 Victor J. Gold *Fed. Prac. & Proc. Evid.* § 6253 (2d ed. 2019). Moreover, Plaintiff's testimony does not concern "scientific, technical, or other specialized knowledge."

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		<p>Fed. R. Evid. 701(c).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6). Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
(107) 194:9-23	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's purported NDAA disclosure is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly

prejudicial. Fed. R. Evid. 403.

- Plaintiff's objection that she lacked personal knowledge is without merit because "the knowledge required by Rule 602 is simply that awareness of objects or events that begins with sensory perception of them." 27 Victor J. Gold *Fed. Prac. & Proc. Evid.* § 6023 (2d ed. 2019).
- Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019).
- Plaintiff's objection under Rule 701 is without merit because "it is [] clear that the drafters

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intended Rule 701 to be inapplicable to party admissions under Rule 801(d)(2).” 29 Victor J. Gold *Fed. Prac. & Proc. Evid.* § 6253 (2d ed. 2019). Moreover, Plaintiff’s testimony does not concern “scientific, technical, or other specialized knowledge.” Fed. R. Evid. 701(c).

- Plaintiff’s hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff’s hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).

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(108) 194:24-
196:4

Fed. R. Evid.
402, 403, 602,
701, 611, 802,
805

- Plaintiff's relevance objection is without merit. Plaintiff's purported NDAA disclosure is relevant to this lawsuit. Fed. R. Evid. 401.
- Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
- Plaintiff's objection that she lacked personal knowledge is without merit because "the knowledge required by Rule 602 is simply that awareness of objects or events that begins with sensory perception of them." 27 Victor J. Gold *Fed. Prac. & Proc. Evid.* § 6023 (2d ed. 2019).
- Plaintiff's Rule 611 objection is without merit because the question did not "call for a legal

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conclusion.”

- Plaintiff’s objection under Rule 701 is without merit because “it is [] clear that the drafters intended Rule 701 to be inapplicable to party admissions under Rule 801(d)(2).” 29 Victor J. Gold *Fed. Prac. & Proc. Evid.* § 6253 (2d ed. 2019). Moreover, Plaintiff’s testimony does not concern “scientific, technical, or other specialized knowledge.” Fed. R. Evid. 701(c).
- Plaintiff’s hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff’s hearsay objections as

		to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
(109) 196:5-25	Fed. R. Evid. 402, 403, 602, 701, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's purported NDAA disclosure is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's objection that she lacked personal knowledge is without merit because "the knowledge required by Rule 602 is simply that awareness of objects or events that begins with sensory perception of them." 27 Victor J. Gold <i>Fed. Prac. &</i>

Proc. Evid. § 6023 (2d ed. 2019).

- Plaintiff's Rule 611 objection is without merit because the question was not "compound" and did not "assume facts not in evidence."
- Plaintiff's objection under Rule 701 is without merit because "it is [] clear that the drafters intended Rule 701 to be inapplicable to party admissions under Rule 801(d)(2)." 29 Victor J. Gold *Fed. Prac. & Proc. Evid.* § 6253 (2d ed. 2019). Moreover, Plaintiff's testimony does not concern "scientific, technical, or other specialized knowledge." Fed. R. Evid. 701(c).
- Plaintiff's hearsay objections to the PNNL email about which she

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		<p>testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
(110) 212:4	Fed. R. Evid. 611	<ul style="list-style-type: none"> Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019).
(111) 215:6-216:7	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is

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relevant to this lawsuit. Fed. R. Evid. 401.

- Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
- Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019)
- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements contained

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		<p>in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(112) 216:8-217:2	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's counsel waived any objection to the form of the

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question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019)

- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
- Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the

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		listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(113) 217:3-218:5	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019) • Plaintiff's hearsay objections to the PNNL email about which she

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		<p>testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).</p> <ul style="list-style-type: none"> • Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). • Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(114) 218:6-219:8	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401.

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- | | | |
|--|--|---|
| | | <ul style="list-style-type: none"> • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019) • Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6). • Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. |
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		<p>Fed. R. Evid. 801(d)(2).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(115) 219:9-220:6	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection

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during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019)

- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
- Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin *Fed. Prac. & Proc.*

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		<i>Evid.</i> § 6719 (2018 ed.).
(116) 220:7-221:6	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019) • Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL

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		<p>emails are business records. Fed. R. Evid. 802(6).</p> <ul style="list-style-type: none"> • Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). • Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(117) 221:7-222:7	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's

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testimony is not unfairly
prejudicial. Fed. R. Evid. 403.

- Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019)
- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
- Plaintiff's hearsay objections as

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		<p>to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).</p>
(118) 222:8-223:9	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard

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		<p>L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019)</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6). Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(119) 223:10-224:5	Fed. R. Evid. 402, 403, 611,	<ul style="list-style-type: none"> Plaintiff's relevance objection is

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802, 805

without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401.

- Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
- Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019)
- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).

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		<ul style="list-style-type: none"> • Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). • Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(120) 224:6-225:8	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.

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- | | | |
|--|--|---|
| | | <ul style="list-style-type: none"> • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019) • Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6). • Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). • Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit |
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		because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(121) 225:9-226:8	Fed. R. Evid. 402, 403, 611, 602, 701, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's Rule 611 objection is without merit because the question did not "assume facts not in evidence." Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are

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		<p>business records. Fed. R. Evid. 802(6).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(122) 226:9-227:8	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's

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testimony is not unfairly
prejudicial. Fed. R. Evid. 403.

- Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019)
- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
- Plaintiff's hearsay objections as

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		<p>to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).</p>
(123) 227:9-228:1	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard

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		<p>L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019)</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6). Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(124) 228:2-7	Fed. R. Evid. 402, 403, 611,	<ul style="list-style-type: none"> Plaintiff's relevance objection is

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802, 805

without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401.

- Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
- Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019)
- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).

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		<ul style="list-style-type: none"> • Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). • Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(125) 228:21-229:7	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.

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| | | <ul style="list-style-type: none"> • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019) • Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6). • Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). • Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit |
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		because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(126) 229:8-230:5	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019)

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		<ul style="list-style-type: none"> • Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6). • Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). • Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(127) 230:6-231:5	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is

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relevant to this lawsuit. Fed. R. Evid. 401.

- Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
- Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019)
- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements contained

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		<p>in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(128) 231:6-232:12	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's counsel waived any objection to the form of the

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question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019)

- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
- Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the

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		listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(129) 232:13-233:10	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019) • Plaintiff's hearsay objections to the PNNL email about which she

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1		testified is without merit because
2		Plaintiff stipulated that PNNL
3		emails are business records. Fed.
4		R. Evid. 802(6).
5		• Plaintiff's hearsay objections as
6		to her own statements contained
7		in an email are without merit
8		because she is a party opponent.
9		Fed. R. Evid. 801(d)(2).
10		• Plaintiff's hearsay objections as
11		to the statements of her PNNL
12		coworkers are without merit
13		because the statements are being
14		used to show the effect on the
15		listener (i.e., Plaintiff). 30B
16		Jeffrey Bellin <i>Fed. Prac. & Proc.</i>
17		<i>Evid.</i> § 6719 (2018 ed.).
18	(130) 233:11-20	• Plaintiff's relevance objection is
19	Fed. R. Evid.	without merit. Plaintiff's
20	402, 403, 611,	employment with PNNL is
21	802, 805	relevant to this lawsuit. Fed. R.
22		Evid. 401.
23		

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| | | <ul style="list-style-type: none"> • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019) • Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6). • Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. |
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		<p>Fed. R. Evid. 801(d)(2).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(131) 237:23-239:10	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection

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during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019)

- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
- Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin *Fed. Prac. & Proc.*

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		<i>Evid. § 6719 (2018 ed.).</i>
(132) 239:11-240:7	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019) • Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL

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		<p>emails are business records. Fed. R. Evid. 802(6).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(133) 240:8-242:14	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's

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testimony is not unfairly
prejudicial. Fed. R. Evid. 403.

- Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019)
- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
- Plaintiff's hearsay objections as

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1			to the statements of her PNNL
2			coworkers are without merit
3			because the statements are being
4			used to show the effect on the
5			listener (i.e., Plaintiff). 30B
6			Jeffrey Bellin <i>Fed. Prac. & Proc.</i>
7			<i>Evid.</i> § 6719 (2018 ed.).
8	(134) 243:3-	Fed. R. Evid.	
9	244:8	402, 403, 611,	• Plaintiff's relevance objection is
10		802, 805	without merit. Plaintiff's
11			employment with PNNL is
12			relevant to this lawsuit. Fed. R.
13			Evid. 401.
14			• Plaintiff's Rule 403 objection is
15			without merit. Plaintiff's
16			testimony is not unfairly
17			prejudicial. Fed. R. Evid. 403.
18			• Plaintiff's counsel waived any
19			objection to the form of the
20			question under Fed. R. Evid. 611
21			by failing to raise an objection
22			during the deposition. Fed. R.
23			Civ. P. 32(d)(3)(B); 8A Richard

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		<p>L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019)</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6). Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(135) 244:9-245:9	Fed. R. Evid. 402, 403, 611,	<ul style="list-style-type: none"> Plaintiff's relevance objection is

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802, 805

without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401.

- Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
- Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019)
- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).

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		<ul style="list-style-type: none"> • Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). • Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(136) 245:10-246:8	Fed. R. Evid. 402, 403, 602, 611, 701, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.

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- | | | |
|--|--|---|
| | | <ul style="list-style-type: none"> Plaintiff’s objection that she lacked personal knowledge is without merit because “the knowledge required by Rule 602 is simply that awareness of objects or events that begins with sensory perception of them.” 27 Victor J. Gold <i>Fed. Prac. & Proc. Evid.</i> § 6023 (2d ed. 2019). Plaintiff’s Rule 611 objection is without merit because the question was not “argumentative.” Plaintiff’s objection under Rule 701 is without merit because “it is [] clear that the drafters intended Rule 701 to be inapplicable to party admissions under Rule 801(d)(2).” 29 Victor J. Gold <i>Fed. Prac. & Proc. Evid.</i> § 6253 (2d ed. 2019). Moreover, |
|--|--|---|

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Plaintiff's testimony does not concern "scientific, technical, or other specialized knowledge." Fed. R. Evid. 701(c).

- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
- Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B

		Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(137) 246:9-247:25	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019) • Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because

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		<p>Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).</p> <ul style="list-style-type: none"> • Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). • Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(138) 249:1-250:5	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is

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without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.

- Plaintiff's Rule 611 objection is without merit because the question was not "argumentative."
- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
- Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being

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		used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(139) 250:6-25	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019) • Plaintiff's hearsay objections to

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		<p>the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).</p> <ul style="list-style-type: none"> • Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). • Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(140) 257:1-258:3	Fed. R. Evid. 402, 403, 602, 611, 701, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R.

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Evid. 401.

- Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
- Plaintiff's objection that she lacked personal knowledge is without merit because "the knowledge required by Rule 602 is simply that awareness of objects or events that begins with sensory perception of them." 27 Victor J. Gold *Fed. Prac. & Proc. Evid.* § 6023 (2d ed. 2019).
- Plaintiff's Rule 611 objection is without merit because did not "call for speculation."
- Plaintiff's objection under Rule 701 is without merit because "it is [] clear that the drafters intended Rule 701 to be

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inapplicable to party admissions under Rule 801(d)(2).” 29 Victor J. Gold *Fed. Prac. & Proc. Evid.* § 6253 (2d ed. 2019). Moreover, Plaintiff’s testimony does not concern “scientific, technical, or other specialized knowledge.” Fed. R. Evid. 701(c).

- Plaintiff’s hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff’s hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
- Plaintiff’s hearsay objections as to the statements of her PNNL

		coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(141) 261:17-262:7	Fed. R. Evid. 402, 403, 602, 611, 701, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc.</i>

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		<p><i>Civ. § 2156 (3d ed. 2019)</i></p> <ul style="list-style-type: none"> • Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6). • Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). • Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid. § 6719 (2018 ed.)</i>.
(142) 262:8-24	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's

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employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401.

- Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
- Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019)
- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as

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		<p>to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(143) 263:1-7	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's counsel waived any

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objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019).

- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
- Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being

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		used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(144) 267:5-8	Fed. R. Evid. 611	<ul style="list-style-type: none"> Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019).
(145) 282:2-6	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's counsel waived any

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		<p>objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019).</p> <ul style="list-style-type: none"> • Plaintiff's hearsay objections as to her own statements are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
(146) 302:5-303:6	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's claimed emotional harm is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's Rule 611 objection is without merit because the

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		<p>question does not “assume facts not in evidence.”</p> <ul style="list-style-type: none"> • Plaintiff’s hearsay objections to her emotional harm chart is without merit because she is a party opponent. Fed. R. Evid. 801(d)(2).
(147) 303:7-25	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff’s relevance objection is without merit. Plaintiff’s claimed emotional harm is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff’s Rule 403 objection is without merit. Plaintiff’s testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff’s Rule 611 objection is without merit because the question does not “assume facts not in evidence.” • Plaintiff’s hearsay objections to her emotional harm chart is without merit because she is a

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		party opponent. Fed. R. Evid. 801(d)(2).
(148) 304:1-19	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's claimed emotional harm is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019). Plaintiff's hearsay objections to her emotional harm chart is without merit because she is a

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		party opponent. Fed. R. Evid. 801(d)(2).
(149) 319:7-18	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's claimed emotional harm is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019). Plaintiff's hearsay objections to her emotional harm chart is without merit because she is a

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		party opponent. Fed. R. Evid. 801(d)(2).
(150) 320:3-10	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's claimed emotional harm is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019). Plaintiff's hearsay objections to her emotional harm chart is without merit because she is a

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		party opponent. Fed. R. Evid. 801(d)(2).
(151) 323:20-325:25	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's claimed emotional harm is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus <i>Fed. Prac. & Proc. Civ.</i> § 2156 (3d ed. 2019). Plaintiff's hearsay objections to her emotional harm chart is without merit because she is a

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		party opponent. Fed. R. Evid. 801(d)(2).
(152) 326:17-327:2	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's Rule 611 objection is without merit because the question was not "argumentative." Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).

		<ul style="list-style-type: none"> • Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). • Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(153) 327:3-328:7	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.

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| | | <ul style="list-style-type: none"> • Plaintiff’s Rule 611 objection is without merit because the question did not “call for speculation.” • Plaintiff’s hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6). • Plaintiff’s hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). • Plaintiff’s hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc.</i> |
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		<i>Evid. § 6719 (2018 ed.).</i>
(154) 328:8-17	Fed. R. Evid. 402, 403, 602, 611, 701, 802, 805	<ul style="list-style-type: none"> • Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. • Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. • Plaintiff's objection that she lacked personal knowledge is without merit because "the knowledge required by Rule 602 is simply that awareness of objects or events that begins with sensory perception of them." 27 Victor J. Gold <i>Fed. Prac. & Proc. Evid. § 6023 (2d ed. 2019).</i> • Plaintiff's Rule 611 objection is without merit because the

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question was not “vague.”

- Plaintiff’s objection under Rule 701 is without merit because “it is [] clear that the drafters intended Rule 701 to be inapplicable to party admissions under Rule 801(d)(2).” 29 Victor J. Gold *Fed. Prac. & Proc. Evid.* § 6253 (2d ed. 2019). Moreover, Plaintiff’s testimony does not concern “scientific, technical, or other specialized knowledge.” Fed. R. Evid. 701(c).
- Plaintiff’s hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).
- Plaintiff’s hearsay objections as to her own statements contained in an email are without merit

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		<p>because she is a party opponent.</p> <p>Fed. R. Evid. 801(d)(2).</p> <ul style="list-style-type: none"> Plaintiff's hearsay objections as to the statements of her PNNL coworkers are without merit because the statements are being used to show the effect on the listener (i.e., Plaintiff). 30B Jeffrey Bellin <i>Fed. Prac. & Proc. Evid.</i> § 6719 (2018 ed.).
(155) 329:5-23	Fed. R. Evid. 402, 403, 611, 802, 805	<ul style="list-style-type: none"> Plaintiff's relevance objection is without merit. Plaintiff's employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401. Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403. Plaintiff's Rule 611 objection is without merit because the question did not "call for

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1		speculation.”
2		• Plaintiff’s hearsay objections to
3		the PNNL email about which she
4		testified is without merit because
5		Plaintiff stipulated that PNNL
6		emails are business records. Fed.
7		R. Evid. 802(6).
8		• Plaintiff’s hearsay objections as
9		to her own statements contained
10		in an email are without merit
11		because she is a party opponent.
12		Fed. R. Evid. 801(d)(2).
13		• Plaintiff’s hearsay objections as
14		to the statements of her PNNL
15		coworkers are without merit
16		because the statements are being
17		used to show the effect on the
18		listener (i.e., Plaintiff). 30B
19		Jeffrey Bellin <i>Fed. Prac. & Proc.</i>
20		<i>Evid.</i> § 6719 (2018 ed.).
21	(156) 330:14-	
22	331:9	Fed. R. Evid.
23		402, 403, 611,
		802, 805
		• Plaintiff’s relevance objection is
		without merit. Plaintiff’s

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employment with PNNL is relevant to this lawsuit. Fed. R. Evid. 401.

- Plaintiff's Rule 403 objection is without merit. Plaintiff's testimony is not unfairly prejudicial. Fed. R. Evid. 403.
- Plaintiff's counsel waived any objection to the form of the question under Fed. R. Evid. 611 by failing to raise an objection during the deposition. Fed. R. Civ. P. 32(d)(3)(B); 8A Richard L. Marcus *Fed. Prac. & Proc. Civ.* § 2156 (3d ed. 2019).
- Plaintiff's hearsay objections to the PNNL email about which she testified is without merit because Plaintiff stipulated that PNNL emails are business records. Fed. R. Evid. 802(6).

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|--|--|---|
| | | <ul style="list-style-type: none">• Plaintiff's hearsay objections as to her own statements contained in an email are without merit because she is a party opponent. Fed. R. Evid. 801(d)(2). |
|--|--|---|

DATED this 23rd day of November, 2019.

Davis Wright Tremaine LLP
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CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of November, 2019, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

John P. Sheridan
The Sheridan Law Firm, P.S.
Hoge Building
705 Second Avenue
Seattle, WA 98104
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DATED this 23rd day of November, 2019.

s/ Mark N. Bartlett

Mark N. Bartlett, WSBA No. 15672

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